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PATENT 421-03
Attorney Docket No. A-70543-3/RMA/KRG
DW File No. 469217-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

LARGMAN, et al.

Serial No.: 10/090,480

Filing Date: February 27, 2002

For: *Backup of a Computer*

Examiner: UNKNOWN

Art Unit: 2184

CERTIFICATE OF MAILING

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Karena Moy-Brown
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INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Sir:

This Information Disclosure Statement is hereby submitted in accordance with 37 CFR 1.98 and pursuant to Applicant's continuing duty under 37 CFR 1.56 to bring any information which may be material to patentability of this application to the Examiner's attention. The Examiner's attention is directed to the reference(s) cited on the accompanying substitute for form PTO-1449A/PTO. Copies of the cited references are enclosed, unless otherwise noted below. It is further understood that the Examiner will also consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. Notice of April 20, 1992, 1138 OG 37-41, at 37; M.P.E.P. § 609 (I)(A)(2).

Applicant makes no representation that a search has been conducted by the Applicant, or that there is not possibly more relevant art. Applicant also makes no representation that the information submitted herewith is in fact material to patentability. The filing of this Information

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Disclosure Statement shall not be construed as an admission against interest in any manner.

Notice of January 9, 1992, 11 O.G. 13-25, at 25. Applicants have checked the appropriate boxes below.

- ☒ 1. This Information Disclosure Statement is being filed within three months of the filing date of a national application other than a continued prosecution application, within three months of the date of entry of a national stage, before the mailing date of a first Office action on the merits, or before the mailing date of a first Office action after the filing date of request for continued examination. 37 C.F.R. § 1.97(b). No fee is required.
- ☐ 2. This Information Disclosure Statement is being filed after the period set forth in above, but before the mailing date of any of a final action, a notice of allowance, or an action that otherwise closes prosecution in the application. 37 C.F.R. § 1.97(c).
- ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1). No fee is required.
- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2). No fee is required.
- ☐ c. Attached is our Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 3. This Information Disclosure Statement is being filed after the periods set forth above, but with or before payment of the Issue Fee. 37 C.F.R. § 1.97(d). Submitted herewith is our Check No. _____ in the amount of \$180.00 in payment of the

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Information Disclosure fee under 37 C.F.R. § 1.17(p). Notice of September 19, 2000, 1238 O.G. 77-161, at 101.

☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☒ 4. This Application relies on the earlier filing date of prior Application No. 09/862,898, filed May 21, 2001, under 35 U.S.C. § 120. It is understood that the Examiner will consider information that was submitted to or cited by the Office in such prior applications. Notice of April 20, 1992, 1138 OG 37-41, at 37; M.P.E.P. § 609 (I)(A)(2). Copies of documents previously submitted to or cited by the Office in the prior application are not required to be provided in this application and thus are not attached. 37 C.F.R. § 1.98(d).

☐ 5. A concise explanation of the relevance of the non-English language document(s) appears below:

☐ A concise explanation of the relevance of the non-English language documents is not required as the non-English language documents were cited or submitted in a prior application relied on under 35 U.S.C. § 120. M.P.E.P. § 609 (III)(A)(3). As _____ was cited or submitted in prior U.S. Patent Application No. _____ filed _____, a concise explanation of the relevance thereof is not required and thus is not provided in this application.

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- ☐ 6. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☐ 7. In accordance with M.P.E.P. §2001.06(b), the Examiner's attention is directed to co-pending U.S. Patent Application No. _____, filed _____, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.
- ☐ 8. The fees indicated above are:

Total Fees Due: \$ _____.00

- ☒ 9. The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time, or credit any overpayment to Deposit Account No. 50-2319 (Our Order No. 469217-00003 (Docket No. A-70543-3/RMA/KRG)).

Respectfully submitted,
DORSEY & WHITNEY LLP

Dated: March 4, 2003
Customer Number: 32940
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Filed under 37 C.F.R. § 1.34(a)



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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete if Known		
			Application Number	10/090,480	
			Filing Date	February 27, 2002	
			First Named Inventor	LARGMAN, Kenneth	
			Group Art Unit	2184	
			Examiner Name		
Sheet	1	of	1	Attorney Docket Number	A-70543-3/RMA/KRG (469217-3)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	U.S. Patent Document Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	4,464,747	08-07-1984	Groudan et al.	
	A2	4,939,694	07-03-1990	Eaton et al.	
	A3	5,434,562	07-18-1995	Reardon	
	A4	5,655,069	08-05-1997	Ogawara et al.	
	A5	5,704,031	12-30-1997	Mikami et al.	
	A6	5,732,268	03-24-1998	Bizzarri	
	A7	5,737,118	04-07-1998	Sugaya et al.	
	A8	5,764,878	06-09-1998	Kablanian et al.	
	A9	5,826,012	10-20-1998	Lettvin	
	A10	5,841,712	11-24-1998	Wendell et al.	
	A11	5,920,515	07-06-1999	Shaik et al.	
	A12	6,016,553	01-18-2000	Schneider et al.	
	A13	6,067,618	05-23-2000	Weber	
	A14	6,178,452	01-23-2001	Miyamoto	
	A15	6,199,178	03-06-2001	Schneider et al.	
	A16	6,205,527	03-20-2001	Goshey et al.	
	A17	6,289,426	09-11-2001	Maffezzoni et al.	
	A18	6,317,845	11-13-2001	Meyer et al.	
	A19	6,347,375	02-12-2002	Reinert et al.	
	A20	6,367,042	04-02-2002	Phan et al.	

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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ² Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	B1	EP 0 978 785 A1	02-09-2000	HEWLETT-PACKARD CO.		
	B2	WO 95/22794 A1	08-24-1995	APPLE COMPUTER, INC.		
	B3	WO 01/11449 A1	02-15-2001	DANIELSSON, Niklas		
	B4	CA 2,197,502 A1	08-13-1998	SKOBLA, Joseph		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	C1	Unknown Author, "Bulletin Board," Laptop Magazine, p.14, July 2001	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English Language Translation is attached.

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